



MacDermid
INCORPORATED



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RODA RECORDS CENTER
FACILITY MACDERMID
I.D. NO. CT0001164599
FILE LOC. R-13
OTHER RDMS# 100823

245 FREIGHT STREET • WATERBURY, CT 06702 • TELEPHONE (203) 575-5700 • DOM. FAX 203-575-5630

March 13, 2002

Mr. Paul Franson
Bureau of Waste Management
Department of Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127

Dear Mr. Franson

As we discussed on March 11, 2002, MacDermid, Inc. would like to provide a central consolidation point, at our Huntington Avenue facility in Waterbury, Connecticut, for the temporary collection of spent etchant from our customers in Connecticut and other surrounding New England states. This spent etchant will be sent to Phibro-Tech, Inc. in Joliet, Illinois where it will be used as a feedstock in the production of other raw materials.

MacDermid, Inc. has received a copy of a letter that the Connecticut Department of Environmental Protection (CTDEP) sent to Phibro-Tech regarding the solid waste exemption status of spent materials used by Phibro-Tech as a feedstock.. As we understand, the CTDEP has concluded that materials, sent to Phibro-Tech, would be exempted under the 40 CFR 261.2(e)(1)(i) provisions if the materials are managed in accordance with the exemption conditions outlined in the letter (i.e. speculative accumulation, documentation of claims, transportation in or through Connecticut).

On the issue of Section 22a-454(a) applicability to Connecticut locations that collect or store the material, other than the original generator, MacDermid, Inc. would like to receive further clarification from the CTDEP. Our interpretation is that the requirement for a permit, under Section 22a-454(a) of the C.G.S., for the temporary storage of the spent etchant feedstock would not apply to MacDermid's situation. The basis for this interpretation is twofold:

1. The material, by way of the 40 CFR 261.2(e)(1)(i) exemption, is not a solid waste. The 22a-454(a) requirement appears to be directed toward facilities that are managing wastes.
2. MacDermid, Inc. can not be defined as "a person whose principal business is the management of such wastes". Again, the 22a-454(a) permit requirement appears to be directed toward facilities that are in the waste management business.

MacDermid's principle business is the manufacture and warehousing of specialty chemicals.

Again, we would appreciate your concurrence with this position. Before we begin accepting the spent materials MacDermid, Inc. will implement procedures to ensure that the materials are managed in accordance with CTDEP's regulations regarding exempted solid wastes.

Sincerely,

A handwritten signature in black ink, appearing to read "Troy Charlton". The signature is fluid and cursive, with the first name "Troy" and last name "Charlton" clearly distinguishable.

Troy Charlton

Director, Environment, Health & Safety